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Our Case No.: 9683/165

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenji Ishii et al.

Examiner: To Be Assigned

Serial No.: To Be Assigned

Group Art Unit No.: To Be Assigned

Filing Date: Herewith

For: An Apparatus and a Method for  
Optimizing Network Resources  
Employed in Data Communication

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

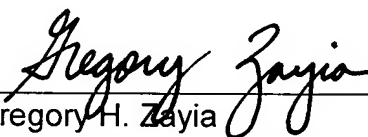
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents A1-A3 listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this communication, the Commissioner is hereby authorized to deduct the fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

  
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Gregory H. Zayia  
Registration No. 48,059  
Agent for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
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FORM PTO-1449	SERIAL NO. To Be Assigned	CASE NO. 9683/165
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE Herewith	GROUP ART UNIT To Be Assigned
(use several sheets if necessary)	APPLICANT(S): Kenji Ishii et al.	

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
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**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A1	JP 11-308337	11/05/1999	Japan	English Abstract

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	A2	Yamamoto, M., "A Survey of Active Network Technology", <i>Research Paper of The Institute of Electronics, Information and Communication Engineers (IEICE) B</i> , August 2001, Vol. J84-B, No. 8, pp. 1401-1412. (English Abstract Included)
	A3	Nakahira, Y., "GMPLS Architecture and related issues", <i>Technical Report of The Institute of Electronics, Information and Communication Engineers (IEICE) PS2002-2</i> , April 2002, pp. 7-12. (English Abstract Included)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.